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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,745	12/14/2001	Andre Colens	21413-PCT-PA	4195

7590

05/09/2003

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EXAMINER

PETRAVICK, MEREDITH C

ART UNIT

PAPER NUMBER

3671

DATE MAILED: 05/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/030,745

Applicant(s)

COLENS, ANDRE

Examiner

Meredith C Petravick

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 18-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

## DETAILED ACTION

### *Claim Objections*

1. Claims objected to because of the following informality:
  - a. Claim 1 discloses “an automatic mobile machine.” However claims 24 and 31, refers to this limitation as “the mobile machine,” claim 27 refers to the limitation as “the automatic machine” while claim 23 refers to the limitation as “the machine.” For consistency, the claims should be amended so that the “the automatic mobile machine” is used to refer to the limitation in claim 1.
  - b. The limitation “said wire” in claim 24 lacks antecedent basis. Claim 24 depends from claim 19. The limitation first appears in claim 22.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 18-21, 25-30, 32, 34-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Reed, 6,076,226.

In regards to claims 18, 34 and 35, Reed discloses a system for picking up objects over a delimited surfaced including:

- an automatic mobile machine (22) an onboard computer (200)

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- at least one motor (60) with a power source (62)
- a mechanical device for gripping (76) and storing objects in a container (90) on the mobile machine
- a device for emptying the container (26)
- a device for limiting the pick up surface (room where system is placed)
- at least one station (20) in which picked up objects may be unloaded

In regards to claims 19, 20 and 24, the power source (62) is a rechargeable battery and the station also includes a recharger (64) for recharging the batteries. The station includes at least one fixed rail.

In regards to claims 21, 29 and 30, the system is capable of picking up golf balls, dead leaves or paper sheets.

In regards to claim 25, the station (20), which includes the recharger (64), is located within the proximity of persons using the system (Column 11, line 46-47).

In regards to claim 26, the station includes a ball recovery bowl (91), a ball lifting system and a duct (116 and 114), which is adapted to convey balls partly by gravity (in part 116).

In regard to claim 27, the mobile machine proceeds over the delimited pick up surface in a random manner (Column 18, lines 14-24).

In regards to claim 28, the mechanical gripping system consists of a rotary brush (76) with spikes arranged around a shaft. The spikes are adapted to pierce the objects. The objects are dragged along in a circular movement and released by spikes by fixed element engaged between the spikes. The objects are then directed to the storage device.

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***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 18-25, 27, 29-32 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellinger 3,550,714 in view of Szymanis 4,244,164.

In regards to claims 18, 34 and 35, Bellinger discloses a system with a mower that runs over a delimited surfaced including:

- an automatic mobile machine (A) an onboard computer (G)
- at least one motor (23) with a power source (Column 9, line 7-8).
- a device for emptying the container (26)
- a device for limiting the pick up surface (wire C)
- at least one station (71)

However, Bellinger fails to disclose a mechanical device for gripping and storing objects in a container.

Like Bellinger, Szymanis discloses a mower. Unlike Bellinger, Szymanis provides the mower with a system to pick up objects, like grass clippings. The system includes a mechanical device for gripping and storing objects in a container. The system is mechanical and includes blade (22) that is rotated which creates and air current that grips the objects and transports them through chute (34) into container (42) on the deck of the mower.

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It would have been obvious to one of ordinary skill in the art, to provide the mower of Bellinger with the system mechanical device for gripping and storing object in a container as in Szymanis, because it is well known in the art to provide mowers with these collection and storing systems in order to avoid the additional steps of raking the grass clippings.

In regards to claims 19 and 20, the power source is a rechargeable battery and the station also includes a recharger for recharging the batteries (Column 9, lines 5-8).

In regards to claims 22-24, the surface-limiting device is a wire (c) at the periphery of the surface and a detector (41 and 42). The mobile machine reaches the station (71) by following the wire.

In regards to claims 21, 29 and 30, the system is capable of picking up golf balls, dead leave or paper sheets.

In regards to claim 25, the station (71), which includes the recharger, is located within the proximity of persons using the system (Column 9, lines 5-8).

In regard to claim 27, the mobile machine proceeds over the delimited pick up surface in a random manner (Fig. 1).

6. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bellinger in view of Szymanis as applied to claim 32 above, and further in view of Zick 3,197,951.

The combination of Bellinger and Szymanis above disclose the claimed invention except for the deflector arms, which are adapted to the direct objects toward the gripping device.

Like the combination, Zick also discloses a mower. Unlike the combination, Zick discloses providing deflector arms (Fig. 1) on a mower to direct grass toward the device.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the mower of the combination with deflector arms as in Zick, in order to increase efficiency by directing objects toward the mower.

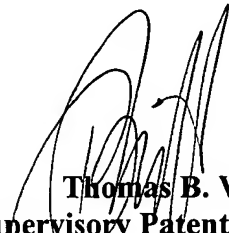
***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meredith Petravick whose telephone number is 703-305-0047. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached at 703-308-3870.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-1113. The fax number for this Group is 703-305-3597.

  
**Thomas B. Will**  
**Supervisory Patent Examiner**  
**Group Art Unit 3671**

MCP  
May 2, 2003